

DARBY &
DARBY

805 Third Avenue
New York, NY 10022
Tel: (212) 527-7700
Fax: (212) 753-6237

E-MAIL:

FILE #: 09652/0201645-USODATE: 6/6/06NUMBER TRANSMITTING TO: 571-273-0459RECIPIENT: PCT Legal DeptCOMPANY: Patent & Trademarks OfficeFROM: Flynn BarrisonNO. OF PAGES TRANSMITTING
(INCLUDING COVER SHEET)*: 2CONFIRMATION OF THIS TRANSMISSION WILL FOLLOW BY
FIRST CLASS MAIL (Y/N): No

COMMENTS:

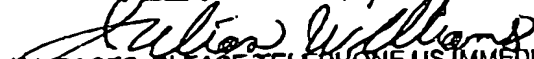
Second Request for Corrected Filing Receipt

RECEIVED
- 6 JUN 2006
Legal Staff
International Division

BEST AVAILABLE COPY

THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY NAMED ABOVE. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, OR THE EMPLOYEE OR AGENT RESPONSIBLE TO DELIVER IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE SO THAT WE CAN ARRANGE FOR THE RETRIEVAL OF THIS DOCUMENT AT NO COST TO YOU. THANK YOU.

PLEASE RETURN TO



* IF YOU DO NOT RECEIVE ALL PAGES, PLEASE TELEPHONE US IMMEDIATELY AT (212) 527-7774

FILE COPY**CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify that this paper or, if this paper is a transmittal letter, every other paper or fee referred to therein, is being facsimile transferred to the Commissioner for Patents & Trademarks at the United States Patent and Trademark Office, Alexandria, VA 22313-1450, at 703-308-7751 on the date shown below.

PLEASE CHARGE ANY DEFICIENCY UP TO \$300.00 OR CREDIT ANY EXCESS IN THE FEES DUE WITH THIS DOCUMENT TO OUR DEPOSIT ACCOUNT NO. 04-0100

8/22/05 Sylvia Williams
Date Sylvia Williams
Signature

Customer No.: 07278

Docket No.: 09852/0201645-US0

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Kazunori Sata et. al.

Serial No.: 10/501,805

Filed: July 19, 2004

For: SURFACE-COATED CUTTING TOOL MEMBER HAVING HARD COATING LAYER
EXHIBITING SUPERIOR WEAR RESISTANCE DURING HIGH SPEED CUTTING
OPERATION AND METHOD FOR FORMING HARD COATING...

REQUEST FOR CORRECTED FILING RECEIPT

Commissioner of Patents and Trademarks
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

1. Attached is a copy of the official filing receipt received from the PTO in the above application for which issuance of a corrected filing receipt is respectfully requested.
2. There is an error with respect to the following data, which is:

- ☒ incorrectly entered and/or
☐ omitted.

| Error in | Correct data |
|--|----------------------------------|
| <input checked="" type="checkbox"/> Applicant's name | Kazunori Sato, Akashi-shi, Japan |
| <input type="checkbox"/> Applicant's address | |
| <input type="checkbox"/> Title | |
| <input type="checkbox"/> Filing Date | |
| <input type="checkbox"/> Application Number | |
| <input type="checkbox"/> Foreign/PCT Application Re: | |
| <input type="checkbox"/> Other | |


Remarks:

Enclosed please find a copy of the executed Declaration.

The Commissioner is respectfully requested to issue a new and correct Filing Receipt.

Respectfully submitted,

Dated: August 22, 2005



Flynn Barrison
Reg. No. 53,970
Agent for Applicant(s)

DARBY & DARBY P.C.
P.O. Box 5257
New York, New York 10150-5257
212-527-7700



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPL NO. | FILING OR 371 (c) DATE | ART UNIT | FIL FEE REC'D | ATTY. DOCKET NO | DRAWINGS | TOT CLMS | IND CLMS |
|------------|---------------------------|----------|---------------|-------------------|----------|----------|----------|
| 10/501,805 | 07/19/2004 | 3724 | 920 | 09852/0201645-US0 | 5 | 2 | 2 |

CONFIRMATION NO. 6617

Darby & Darby
805 Third Avenue
New York, NY 10022

FILING RECEIPT

OC000000016222208

Date Mailed: 06/08/2005

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Kazunori Sata, Akashi-shi, JAPAN;
Akihiro Kondo, Akashi-shi, JAPAN;
Yusuke Tanaka, Akashi-shi, JAPAN;

Power of Attorney:

Gordon Coplein-19165
Bert Lewen-19407
Michael Sweedler-19937
Paul Fields-20298
S Ludwig-25351

Melvin Garner-26272
Joseph Lerch-26936
Ethan Horwitz-27646
Adda Gogoris-29714
Marie Collazo-44085

Signature: *[Signature]*
Date: *[Signature]*
Signature: *[Signature]*
Date: *[Signature]*
Signature: *[Signature]*
Date: *[Signature]*
Signature: *[Signature]*
Date: *[Signature]*

Domestic Priority data as claimed by applicant

This application is a 371 of PCT/JP03/00220 01/14/2003

Foreign Applications

JAPAN 2002-11478 01/21/2002
JAPAN 2002-49893 02/26/2002
JAPAN 2002-60208 03/06/2002

If Required, Foreign Filing License Granted: 06/08/2005

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US10/501,805**

Projected Publication Date: 06/16/2005

Non-Publication Request: No

Early Publication Request: No

Title

Surface-coated cutting tool member having hard coating layer exhibiting superior wear resistance during high speed cutting operation and method for forming hard coating layer on surface of cutting tool

Preliminary Class

083

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

**DECLARATION
AND POWER OF ATTORNEY
Original Application**

ATTORNEYS DOCKET NO. (IF ANY)
09852/0201645-430

As a below named inventor, I declare that the information given herein is true, that I believe that I am the original, first and sole inventor if only one name is listed at 201 below, or a joint inventor if plural inventors are named below at 201-203, of the invention entitled:

SURFACE-COATED CUTTING TOOL MEMBER HAVING HARD COATING LAYER EXHIBITING SUPERIOR WEAR

RESISTANCE DURING HIGH SPEED CUTTING OPERATION AND METHOD FOR FORMING HARD COATING LAYER

which is described and claimed in:

ON SURFACE OF CUTTING TOOL

☐ the attached specification or ☒ the specification in application Serial No. **PCT/JP03/00220** filed **January 14, 2003**
(for declaration not accompanying application)

that I do not know and do not believe that the same was ever known or used in the United States of America before my or our invention thereof or patented or described in any printed publication in any country before my or our invention thereof, or more than one year prior to this application, or in public use or on sale in the United States of America more than one year prior to this application, that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months prior to this application, that I acknowledge my duty to disclose information of which I am aware which is material to the examination of this application in accordance with 37 CFR 1.56(a), and that no application for patent or inventor's certificate on this invention has been filed by me or my legal representatives or assigns in any country foreign to the United States of America except as identified below. I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

FOREIGN APPLICATION(S), IF ANY, FILED WITHIN 12 MONTHS PRIOR TO THE FILING DATE OF THIS APPLICATION

| COUNTRY | APPLICATION NUMBER | DATE OF FILING (day, month, year) | PRIORITY CLAIMED UNDER 35 U.S.C. 119 |
|---------|--------------------|--------------------------------------|---|
| Japan | Patent 2002-011478 | 21/January/2002 | YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> |
| Japan | Patent 2002-049893 | 26/February/2002 | YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> |

ALL FOREIGN APPLICATIONS, IF ANY, FILED MORE THAN 12 MONTHS PRIOR TO THE FILING DATE OF THIS APPLICATION

| | | | |
|--|--|--|--|
| | | | |
| | | | |

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith: Morris Nelson #15,108, Gordon D. Coplein #19,165, William F. Dudine, Jr. #20,569, Michael J. Sweedler #19,937, S. Peter Ludwig #25,351, Paul Fields #20,298, Joseph B. Lerch #26,936, Melvin C. Garner #26,272, Ethan Horwitz #27,646, Beverly B. Goodwin #28,417, Adda C. Gogoris #29,714, Martin E. Goldstein #20,869, Bert J. Lewen #19,407, Henry Sternberg #22,408, all of the firm of Darby & Darby P.C., 805 Third Avenue, New York, New York 10022

SEND CORRESPONDENCE TO:

DARBY & DARBY P.C.

805 Third Avenue

New York, New York 10022

DIRECT TELEPHONE CALLS TO:

(212) 697-7660

| | | | | |
|-----|-------------------------|--|-----------------------------------|---------------------------------|
| 201 | FULL NAME OF INVENTOR | LAST NAME SATO | FIRST NAME Kazunori | MIDDLE NAME |
| | RESIDENCE & CITIZENSHIP | CITY Akashi-shi | STATE OR FOREIGN COUNTRY Japan | COUNTRY OF CITIZENSHIP Japan |
| | POST OFFICE ADDRESS | POST OFFICE ADDRESS c/o MITSUBISHI MATERIALS KOBE TOOLS CORPORATION, 179-1, Nishioike, Kanagasaki, Uozumicho, Akashi-shi, Hyogo-ken, Japan | | |
| 202 | FULL NAME OF INVENTOR | LAST NAME KONDO | FIRST NAME Akihiro | MIDDLE NAME |
| | RESIDENCE & CITIZENSHIP | CITY Akashi-shi | STATE OR FOREIGN COUNTRY Japan | COUNTRY OF CITIZENSHIP Japan |
| | POST OFFICE ADDRESS | POST OFFICE ADDRESS c/o MITSUBISHI MATERIALS KOBE TOOLS CORPORATION, 179-1, Nishioike, Kanagasaki, Uozumicho, Akashi-shi, Hyogo-ken, Japan | | |
| 203 | FULL NAME OF INVENTOR | LAST NAME TANAKA | FIRST NAME Yusuke | MIDDLE NAME |
| | RESIDENCE & CITIZENSHIP | CITY Akashi-shi | STATE OR FOREIGN COUNTRY Japan | COUNTRY OF CITIZENSHIP Japan |
| | POST OFFICE ADDRESS | POST OFFICE ADDRESS c/o MITSUBISHI MATERIALS KOBE TOOLS CORPORATION, 179-1, Nishioike, Kanagasaki, Uozumicho, Akashi-shi, Hyogo-ken, Japan | | |

☒ Additional matter on page 2 (Form PTO-1298). (When page 2 is used, all signatures should be placed on page 2.)

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

| | | |
|---------------------------|---------------------------|---------------------------|
| SIGNATURE OF INVENTOR 201 | SIGNATURE OF INVENTOR 202 | SIGNATURE OF INVENTOR 203 |
| DATE | DATE | DATE |

*** RX REPORT ***

RECEPTION OK

| | |
|-------------------|--------------|
| TX/RX NO | 5906 |
| RECIPIENT ADDRESS | 212 753 6237 |
| DESTINATION ID | |
| ST. TIME | 06/06 11:32 |
| TIME USE | 01'53 |
| PGS. | 7 |
| RESULT | OK |